

Section 10.240 Conditional Use Permits

10.241 General

10.241.10 A conditional **use** is a use of land or **buildings** within a zoning district that may be authorized by this Ordinance subject to additional requirements. A conditional use permit allows the Planning Board or other such Board or person as may have jurisdiction to consider **uses** which may be desirable or appropriate in particular cases, but which are not allowed as a matter of right within a zoning district.

10.241.20 This Ordinance authorizes the following general types of conditional **use** permits:

10.241.21 Conditional **use** approval is required for any **use** designated “CU” in Section 10.440 – Table of Uses.

10.241.22 Conditional **use** approval is required for most **uses**, activities and alterations in a **wetland** or **wetland buffer** (Article 10, Section 10.1010 – Wetlands Protection).

10.241.23 Conditional **use** approval may be granted to allow flexibility of site or **building** design where specifically authorized by the Ordinance but not listed in Section 10.440. These include the following provisions:

(a) Character Districts (Article 5A)

- Increase in allowed **building** footprint subject to specified **development** standards;
- Provision of required **community space** on a different **lot** than the **development**;
- Crediting or assignment of excess **community space** in an Incentive Overlay District.

(b) Gateway Districts (Article 5B)

- More than 24 **dwelling units** in a **building**;
- More than one **principal building** or building type on a **development** site;
- Increased housing density, **building height**, or footprint.

~~(c) Off Street Parking (Article 11)~~

- ~~• Less than the minimum number of required spaces or more than the maximum number of allowed spaces;~~
- ~~• Shared parking.~~

(d) Highway Noise Overlay District (Article 6)

- **Noise sensitive land uses**

(Character Districts)

10.5A44 Off-Street Parking and Loading Requirements

10.5A44.10 General

10.5A44.11 ~~Except as otherwise provided in this Section, all **buildings, structures** and **uses** in the Character districts and Civic districts shall comply with the **off-street parking** requirements set forth in Section 10.1110.~~ The number of required parking spaces shall be provided in accordance with the Site Plan Review Regulations.

10.5A44.12 **Buildings, structures** and **uses** in the Character districts and Civic districts that are also within the Downtown Overlay District shall comply with the additional standards in Section 10.643.

10.5A44.20 Number of Required Spaces

10.5A44.21 **Uses** in the Character districts and Civic districts that are not located in the Downtown Overlay District shall provide **off-street parking** in accordance with ~~the Site Plan Review Regulations Section 10.1112.~~

10.5A44.22 **Uses** in the Character districts and Civic districts that are included in the Downtown Overlay District shall comply with the **off-street parking** requirements for the Downtown Overlay District in accordance with ~~the Site Plan Review Regulations Section 10.1115.~~

10.5A44.23 Subject to approval by the Planning Board, any portion of the required **off-street parking** spaces may be dedicated to public use.

10.5A44.30 Parking, Loading, and Driveway Locations and Standards

10.5A44.31 All **off-street parking** spaces shall be located at least 20 feet behind any **façade** of a **principal building**, except when in an **underground parking level**. This restriction shall not apply to **off-street parking** for a **single-family** or **two-family dwelling**.

10.5A44.32 **Parking lots** and loading areas shall be screened from the **street** by a **building** or **streetscreen** except for any **driveway**.

10.5A44.33 Driveways at the street and within a required front yard shall be no wider than 24 feet.

10.5A44.34 All **parking lots**, **garages**, and **parking structures** shall include a pedestrian exit directly to a **front lot line**.

10.5A44.35 The above-ground portion of a parking structure or garage shall have a liner building at least the height of the ground floor along the entire width of any front yard except for driveways and pedestrian entrances.

- 10.5A44.36 A **parking lot** containing more than 75 parking spaces shall have least one internal pedestrian walkway at least 8 feet wide that is paved differently from the parking spaces with respect to texture, material, style, and/or color.

10.5A44.40 Parking Lot Landscaping

Parking lots that contain 10 or more spaces shall conform to the following:

- 10.5A44.41 Landscape islands:

- (a) **Parking lots** shall contain one landscaped island for every 10 parking spaces.
- (b) A **parking lot** with more than one landscaped island shall have such islands distributed throughout the **parking lot**.
- (c) Each landscaped island shall be a minimum of 325 square feet.

- 10.5A44.42 Trees:

- (a) **Parking lots** shall contain at least one tree for every 7 parking spaces.
- (b) No parking space shall be more than 75 feet from a tree within the **lot**, as measured from the center of the tree to the nearest line demarcating the space.
- (c) All trees shall be separated from paved surfaces by at least 3 feet.

- 10.5A44.43 All **landscaping** required pursuant to this Section 10.5A44.40 shall be located and designed in a manner to protect the vegetation from vehicular damage.

10.5A44.50 Loading Docks, Storage and Service Areas

Loading docks, storage and service areas shall not be permitted between the **principal building** and any **front lot line**.

(Gateway)

Section 10.5B80 Parking and Loading Requirements and Standards

10.5B81 General

- 10.5B81.10 ~~Except as otherwise provided in this Section, all **buildings, structures, uses, and development sites** in the Gateway Neighborhood Mixed Use Districts shall comply with the **off-street parking** and loading requirements set forth in Section 10.1110 and Section 10.1120.~~ Required parking shall be provided in accordance with the Site Plan Review Regulations.

10.5B82 Number of Required Spaces

- 10.5B82.10 Uses in the Gateway Neighborhood Mixed Use Districts shall provide **off-street parking** in accordance with ~~the Site Plan Review Regulations, Section 10.1112~~, except as follows:
- a) For **developments** located on a public transit route with year-round, 5-days-per-week, fixed-route service and where at least 50% of the **building(s)** are within ¼ mile of a transit stop, the minimum **off-street parking** required for motor vehicles shall be reduced by 20% of the total required for all **uses**.

10.5B83 Location of Motor Vehicle Parking Facilities

- 10.5B83.10 Required **off-street parking** spaces shall not be located between a **principal building** and a **street** or within any required perimeter buffer area.
- 10.5B83.20 **Development sites** that include multiple **lots** shall not be subject to ~~the requirements of 10.1113.10~~ requiring **off-street parking** spaces to be located on the same **lot** as the principal **use**. **Off-street parking** spaces shall be located within the same **development site** for the principal **use** they are intended to serve.

Section 10.5B90 Pedestrian Access and Circulation

- 10.5B91 Pedestrian walkways shall provide connections through the **lot/site** to the public **street** right-of-way, and between the **lot/site** and **adjacent** land **uses**.
- 10.5B92 At least one 8-foot wide pedestrian walkway shall be provided throughout the **lot/site**, connecting **adjacent streets**, **accessways**, **sidewalks** and **off-street parking** areas to the entrances of all **principal buildings**.
- 10.5B93 Pedestrian areas shall be clearly distinguished from vehicular and bicycle traffic areas through the **use** of paving materials, **landscaping**, or other means.
- 10.5B94 A **lot/site** with more than one **principal building** or **off-street parking** area shall include an internal pedestrian network that provides logical and direct routes for pedestrians throughout site.
- 10.5B95 **Parking lots** shall include internal walkways spaced not more than 150 feet apart. Where possible, these walkways shall be aligned to connect with major **building** entries or other destinations.

(GNOD)

10.685 Parking

In the GNOD, the shared parking provisions of Section ~~4.6 of the Site Plan Review Regulations 10.1112.62~~ shall apply, and shared parking shall be permitted on separate **lots**, whether in common ownership or separate ownership ~~without the requirement of a conditional use permit~~. The provisions of Section ~~4.7 10.1113~~ of the Site Plan Review Regulations (Location of Vehicular Use Facilities) shall not apply to a GNOD development.

Coliving:

~~10.815.30~~ — **Parking Requirements**

~~10.815.31~~ — Motor vehicle parking shall be required for **Coliving Facilities** as follows:

~~1. If any part of the **Coliving Facility** is located within 600 feet (approximately a 2.5 minute walk) of a public parking garage, No parking required.~~

~~2. If no part of the **Coliving Facility** is located within 600 feet (approximately a 2.5 minute walk) of a public parking garage, off street parking is required at the rate of 1 space per every 4 **Coliving Unit**s.~~

Article 11 Site Development Standards

- Section 10.1110 Off-Street Parking
- Section 10.1120 Off-Street Loading
- Section 10.1130 Landscaping and Screening
- Section 10.1140 Outdoor Lighting

Section 10.1110 Off-Street Parking

10.1111 General

- 10.1111.10 ~~The purpose of this Article, as amended, is to (a) retain off-street parking requirements for single-family and two-family dwellings; (b) delegate all other off-street parking requirements to the Site Plan Review Regulations. The purposes of Section 10.1110 are to manage parking supply to serve development needs without compromising community character or contributing to increased housing development costs. These purposes will be achieved by calibrating **off-street parking** requirements to demands, promoting shared parking arrangements for complementary uses, and providing for flexibility in the administration of **off-street parking** standards.~~
- 10.1111.20 All new **buildings** and **structures**, as well as additions to or changes in **use** or intensification of **use** in existing **buildings** and **structures**, shall be provided with **off-street parking** spaces in accordance with this Section.
- 10.1111.30 A **use** that is **nonconforming** as to the requirements for **off-street parking** shall not be enlarged or altered unless **off-street parking** is provided for the original **building**, **structure** or **uses** and all expansions, intensifications or additions sufficient to satisfy the requirements of this Section.
- 10.1111.40 ~~For all other uses including multifamily, nonresidential, and mixed-use development, or a change of use, the number of required off-street parking spaces and all related provisions (including shared/off-site parking, reserve parking, bicycle parking, and electric-vehicle parking) are established and administered under the Site Plan Review Regulations.~~

10.1112 Number of Required Parking Spaces

~~10.1112.10 — General Requirements and Interpretation~~

- ~~10.1112.11 — The number of required **off-street parking** spaces shall be based on the **uses** on the **lot**, as specified in Section 10.1112.30.~~
- ~~10.1112.12 — For any permitted **use** not covered by Section 10.1112.30, the **Code Official** shall determine the closest similar **use** listed in that table and require **off-street parking** accordingly.~~
- ~~10.1112.13 — Specially designated parking spaces for the physically disabled shall be provided in compliance with the **Building Code** (see **International Building Code**, Section 1106).~~

~~10.1112.14—The Planning Board may grant a conditional use permit to allow a **building** or **use** to provide less than the minimum number of **off-street parking** spaces required by Section 10.1112.30, Section 10.1112.61 or Section 10.1115.20, as applicable, or to exceed the maximum number of **off-street parking** spaces allowed by Section 10.1112.51.~~

~~10.1112.141—An application for a conditional use permit under this section shall include a parking demand analysis, which shall be reviewed by the City's Technical Advisory Committee prior to submission to the Planning Board, demonstrating that the proposed number of **off-street parking spaces** is sufficient for the proposed **use**.~~

~~10.1112.142—An application for a conditional use permit under this section shall identify permanent evidence-based measures to reduce parking demand, including but not limited to provision of rideshare/microtransit services or bikeshare station(s) servicing the property, proximity to public transit, car/van pool incentives, alternative transit subsidies, provisions for teleworking, and shared parking on a separate **lot** subject to the requirements of 10.1112.62.~~

~~10.1112.143—The Planning Board may grant a conditional use permit only if it finds that the number of **off-street parking** spaces required or allowed by the permit will be adequate and appropriate for the proposed **use** of the property. In making this determination, the Board may accept, modify or reject the findings of the applicant's parking demand analysis.~~

~~10.1112.144—At its discretion, the Planning Board may require more **off-street parking** spaces than the minimum number requested by the applicant, or may allow fewer spaces than the maximum number requested by the applicant.~~

10.1112.20—Calculation of Number of Required Spaces

~~10.1112.21—The number of required **off-street parking** spaces shall be the sum of the requirements for the various individual **uses** on a **lot** computed separately.~~

~~10.1112.22—Where the computation of required **off-street parking** spaces results in a fractional number, the computation shall be rounded up to the next whole number.~~

~~10.1112.23—Parking spaces occupied by **EV** chargers and supporting equipment may count towards minimum parking requirements.~~

10.1112.1030 Off-Street Parking Requirements**~~10.1112.31—Parking Requirements for Residential Uses~~**

~~10.1112.311~~ The required minimum number of **off-street parking** spaces for **single- and two-family dwellings uses 1.10 through 1.90, including dwelling units in mixed-use developments,** shall be based on the gross floor area of each **dwelling unit**, as follows:

Dwelling Unit Floor Area	Required Parking Spaces
500 Sq. ft. or less	0.5 spaces per unit
Over 500 sq. ft.	1.0 space per unit

~~10.1112.312~~ In addition to the **off-street parking** spaces provided in accordance with Sec. 10.1112.311, any **dwelling** or group of **dwellings** on a **lot** containing more than 4 **dwelling units** shall provide one visitor parking space for every 5 **dwelling units** or portion thereof.

~~10.1112.20—Parking Compliance for Change of Use~~

Any change of use that does not require Site Plan Review shall be subject to the following:

- ~~a) comply with the parking requirements in the Site Plan Review Regulations.~~
- ~~b) The Planning Director may require submission of documentation, including a parking plan or existing and proposed parking counts, sufficient to demonstrate compliance.~~

~~A change of use shall not create a new nonconformity or increase an existing nonconformity related to parking.~~

~~10.1112.32—Parking Requirements for Nonresidential Uses~~

~~10.1112.321~~ The required minimum number of **off-street parking** spaces for **uses** other than 1.10 through 1.90 shall be based on the following table.

Table of Minimum Off-Street Parking Requirements for Nonresidential Uses

Use No.	Use	Requirement
2. Institutional Residence or Care Facilities		
2.10-2.20	Assisted living facility or Residential care facility	0.5 per bed or resident
3. Educational, Religious, Charitable, Cultural and Public Uses		
3.10	Place of assembly	0.4 per seat (fixed seating); or 1 per 4 persons maximum occupancy of assembly area; or Parking demand analysis
3.20	School	Parking demand analysis
3.30	Historic preservation building	No requirement

Use No.	Use	Requirement
3.40	Museum	Parking demand analysis
3.50	Performance facility	0.4 per seat (fixed seating), or Parking demand analysis
3.60	Cemetery	No requirement
3.70	Club, fraternal or service organization	Greater of: —1 per 4 persons maximum occupancy —1 per 200-sf GFA
3.80	Municipally operated park and related activities	No requirement
4. Recreational Uses		
4.10	Religious, sectarian or private non-profit recreational use	Parking demand analysis
4.20	Cinema or similar indoor amusement use with no live performance	0.4 per seat, or Parking demand analysis
4.30	Indoor recreation use , such as bowling alley or arcade	1 per 4 persons maximum occupancy
4.40	Health club, yoga studio, martial arts school, or similar use	1 per 250-sf GFA
4.50	Outdoor recreation use	Parking demand analysis
4.60	Amusement park, water park or theme park	NA—Prohibited Use
5. Office Uses, Non-Medical		
5.10-5.30	Professional, business and financial services	1 per 350-sf GFA
5.40	Social service campus	Apply standards for component uses
5.50	Media studio	1 per 1,000-sf GFA
5.60	Publishing facility or similar electronic production operation	1 per 1,000-sf GFA
5.70	Call Center	1 per 250-sf GFA
6. Medical Services and Health Care		
6.10	Hospital	Parking demand analysis
6.20	Medical offices and clinics (outpatient only)	1 per 250-sf GFA
6.30	Clinics with inpatient care	Greater of: —2 per bed —1 per 250-sf GFA
6.40	Ambulatory surgical center	1 per 250-sf GFA

Use No.	Use	Requirement
6.50	Substance abuse treatment facility	Parking demand analysis
6.60	Psychiatric hospital for the criminally insane	NA—Prohibited Use
7. Services, Other Than Health Care		
7.11	Family day care facility	4 spaces (including 2 for the single-family dwelling)
7.12	Group day care facility including private preschool and kindergarten	0.5 per client or student based on licensed enrollment capacity
7.20-7.40	Personal services , Consumer services, and Trade, craft and general services	1 per 400-sf GFA
7.50-7.60	Veterinary care and Laundry and dry cleaning establishments	1 per 500-sf GFA
7.70	Undertaking establishment , funeral parlor or mortuary chapel, excluding crematorium	1 per 25-sf of floor area for public occupancy
8. Retail Trade		
8.10-8.90	All retail trade uses	1 per 300-sf GFA
9. Eating and Drinking Places		
9.10-9.50	All eating and drinking places	1 per 100-sf GFA
10. Lodging Establishments		
10.10-10.20	Boarding house or Bed and breakfast	2 + 1 per room for rent
10.30-10.40	Inn, hotel or motel	1.25 per guest room + 1 per 100-sf of lounge or restaurant area + 1 per 25-sf of conference or banquet facilities
10.50-10.60	Conference hotel or Conference center	Parking demand analysis
11. Motor Vehicle-Related Uses		
11.10, 11.30	Sales, renting or leasing of vehicles, marine craft, power equipment, etc.	1 per 600-sf GFA + 1 per 2000-sf outside display or storage area
11.20	Motor vehicle service station, motor vehicle repair or washing facility for passenger cars and light trucks	2 + 1 per 400-sf GFA EV fueling spaces A and B may count towards minimum parking requirements.
11.40	Impound lot (principal or accessory use)	No requirement
11.50	Truck fueling facility	4 spaces
11.60	Truck terminal	1 per 2000-sf GFA +

Use No.	Use	Requirement
		3 per loading dock
12. Marine Craft Related Uses		
12.11	Non-commercial boat landings, boat docks, boathouses, etc.	No requirement
12.12	Fishing boat landing 1	4 spaces
12.13	Fishing boat landing 2	Parking demand analysis
12.20-12.40	Marina , repair of commercial marine craft and marine-related structures , or landside support facility for commercial passenger vessel	Parking demand analysis
13. Wholesale Trade, Warehousing and Distribution		
13.10	Wholesale use	1 per 2000-sf GFA
13.20	Wholesale sales devoted to, and in the same establishment as, a permitted retail use	1 per 2000-sf area devoted to wholesale
13.30	Wholesale lumber yards, lumber and contractor sales	No requirement
13.40	Warehousing or distribution of non-flammable, non-hazardous materials, not classified as a high hazard use	1 per 2000-sf GFA
14. Industrial Uses		
14.10-14.20	Light industry or Research and development	1 per 500-sf GFA
14.30-14.50	Food processing, Electronics manufacturing, General manufacturing	1 per 1000-sf GFA
14.60	Biological or chemical laboratory	1 per 500-sf GFA
14.70	Recycling facility or recycling plant	No requirement
14.80	High hazard use , including other uses listed in this section but not including uses described in 14.90	Parking demand analysis
14.90	Storage (other than normal accessory use), processing, disposal, or transfer of petroleum, petrochemicals, natural gas and liquid petroleum products, coal, alcohol, wood pulp, solid or liquid waste, junk or hazardous waste as classified by Federal or State law	NA—Prohibited Use

Use No.	Use	Requirement
15. Transportation and Utilities		
15.10	Public or private transformer station, substation, pumping station or automatic telephone exchange, not including any business office , storage yard or storage building	No requirement
15.20	Heliport or helipad	No requirement
16. Wireless Telecommunications Facilities		
16.10-16.40	All wireless telecommunications facilities	No requirement
17. Agricultural Uses		
17.10-17.20	All agricultural use	No requirement
18. Temporary Uses		
18.10	Construction trailer	No requirement
18.20	Temporary structure	No requirement
18.30	Manufactured housing not on a foundation, as temporary replacement housing for a dwelling on the same lot destroyed by natural causes	2 spaces (single-family dwelling)
18.40	Carts or trailers, including outdoor display area, used for the seasonal sale of dry goods, Christmas trees, flowers, fruits, vegetables, seasonal products and prepared food	No requirement
19. Accessory Uses		
19.10	Accessory use to a permitted principal use (not otherwise specified in this section), but not including any outdoor storage	No requirement
19.20	Home occupation	No minimum requirement (maximum 1 space for the home occupation)
19.30	Concessions and services located within the principal building	No requirement
19.40	Drive-through facility , as accessory use to a permitted principal use	No requirement
20. Accessory Storage		
20.10— 20.60	All accessory storage uses	No requirement

~~10.1112.322—Where the table lists a general **use** category without the subcategories, the parking ratio shall apply to all subcategories within that category (for example, the parking ratio shown for **use** number 2.10 applies to **uses** 2.11 and 2.22).~~

~~10.1112.323—Where the table indicates that the minimum required number of **off-street parking** spaces shall be based on a parking demand analysis, the applicant shall submit such analysis for review by the Planning Board. Where the table indicates that a parking demand analysis is an alternative to a specified ratio, the applicant may submit such analysis to justify a ratio different from that listed in the table. In either case, the Planning Board may approve the number of parking spaces proposed by the analysis, or may approve a greater or lesser minimum number of parking spaces based on its review.~~

~~10.1112.324—Where the minimum number of **off-street parking** spaces is based on **maximum occupancy**, the applicant shall submit a code analysis showing the occupant load for the proposed **use** determined in accordance with the Building Code.~~

10.1112.40—Reserve Parking Area

When Section 10.1112.30 requires the provision of 20 or more **off-street parking** spaces, the Planning Board may approve the construction of fewer **off-street parking** spaces than required, subject to the following:

~~10.1112.41—A “Reserve Parking Area” shall be designated that is sufficient to accommodate the difference between the number of spaces required and the lesser number actually provided.~~

~~10.1112.42—The site plan shall clearly delineate the Reserve Parking Area and shall demonstrate that it is sufficient to accommodate the additional parking spaces in accordance with the requirements of this Section.~~

~~10.1112.43—The Reserve Parking Area shall be landscaped with grass, ground covers and/or other plant materials, but shall not be counted toward any minimum **open space** requirement.~~

~~10.1112.44—The Reserve Parking Area shall not be used as snow storage area and shall not contain any **structure** or mechanical equipment.~~

10.1112.50—Maximum and Minimum Number of Parking Spaces

~~10.1112.51—The number of **off-street parking** spaces for any **building** or **use** shall not exceed the following amounts:~~

Minimum Number of Spaces Required by Section 10.1112.30	Maximum Number of Spaces Allowed
0-20	No maximum
21 or more	120 percent of minimum

~~10.1112.60—Shared Parking~~**~~10.1112.61—Methodology~~**

~~Developments that contain a mix of uses on the same parcel shall reduce the number of **off-street parking** spaces in accordance with the following methodology:~~

- ~~(1) Determine the minimum number of **off-street parking** spaces for each land **use** within the development in accordance with Sections 10.1112.10 through 10.1112.50.~~
- ~~(2) Multiply the minimum parking requirement for each land use by the corresponding parking occupancy rates for each of the five time periods set forth in Columns (B) through (F) of the Parking Occupancy Rates table below.~~

~~Parking Occupancy Rates~~

(A) Land Use	Weekday		Weekend		(F) Nighttime (Midnight– 6:00 AM)
	(B) Daytime (8:00 AM– 5:00 PM)	(C) Evening (6:00 PM– Midnight)	(D) Daytime (8:00 AM– 5:00 PM)	(E) Evening (6:00 PM– Midnight)	
Residential	60%	100%	80%	100%	100%
Office/ Industrial	100%	20%	10%	5%	5%
Retail/Service	60%	90%	100%	70%	5%
Hotel/Motel	70%	100%	75%	100%	100%
Restaurant	70%	100%	80%	100%	10%
Entertainment	40%	100%	80%	100%	10%
Conference/ Convention	100%	100%	100%	100%	5%
Place of Worship*	10%	5%	100%	50%	5%
Other Institutional	100%	20%	10%	10%	5%

~~* For a religious use that holds its principal services on a weekday, the weekday and weekend ratios shall be reversed.~~

- ~~(3) Add the resulting shared parking requirements for each time period to determine the minimum parking requirement for that period.~~

~~The required minimum number of parking spaces for the development shall be the highest of the five time period totals.~~

~~10.1112.62—Shared Parking on Separate Lots~~

~~The Planning Board may grant a conditional use permit to allow a reduction in the number of required **off-street parking** spaces for uses on separate **lots**, whether in common or separate ownership, subject to the following:~~

- (1) ~~The shared parking requirement may be determined using the methodology in Section 10.1112.61, or by another method approved or required by the Planning Board.~~
- (2) ~~The shared parking arrangement shall be secured by a covenant acceptable to the City and recorded at the Rockingham County Registry of Deeds.~~

~~10.1113—Location of Vehicular Use Facilities~~

~~10.1113.10—Proximity to Principal Use~~

~~10.1113.11—All required **off-street parking** spaces shall be located on the same **lot** as the **principal use** they are required to serve except as follows:~~

~~10.1113.111—Required parking spaces may be located on a separate **lot** from the **principal use** which they serve where a municipally owned or operated covered parking facility is constructed as part of the overall **development**.~~

~~10.1113.112—The Board of Adjustment may authorize a special exception for the provision of required parking on another **lot** in the same ownership as the **lot** in question and within 300 feet of the property line of the **lot** in question.~~

~~10.1113.12—In no case shall parking be permitted within any Residential or Mixed Residential District other than that which is accessory to a **principal use** allowed within the district.~~

10.1113.20 Location of Parking Facilities on a Lot

Required **off-street parking** spaces ~~shall not~~ **may** be located in any required front yard, or between a **principal building** and a **street** (including on a **corner lot**). ~~This restriction shall not apply to required **off-street parking** for a **single-family dwelling** (including the combination of a **single-family dwelling** and an **accessory dwelling unit**) or **two-family dwelling**.~~

~~10.1113.30—Minimum Distance from Residential and Mixed Residential Zoning Districts~~

~~10.1113.31—**Off-street parking** areas, **accessway**s, maneuvering areas and traffic aisles serving **uses** in a Business or Industrial district shall be set back from all Residential and Mixed Residential districts as follows:~~

District	Minimum Distance from Residential or
	Mixed Residential District
B	50 feet
GB, GW	100 feet
I, OR, WI	100 feet

~~10.1113.32—**Off-street parking** areas, **accessway**s, maneuvering areas and traffic aisles serving a nonresidential **use** on a **lot** in a Mixed Residential district that abuts a Residential district shall be set back at least 10 feet from the~~

~~Residential district boundary and shall be screened in accordance with the screening standards of the Planning Board's Site Plan Review Regulations.~~

~~10.1113.40~~ — ~~Setback from Lot Lines~~

~~10.1113.41~~ — ~~Off-street parking~~ areas, ~~accessway~~s, maneuvering areas and traffic aisles serving ~~uses~~ in a Business or Industrial district shall be set back from ~~front lot lines~~ as follows:

District	Minimum Setback from Front Lot Line
B	20 feet
GB, GW	40 feet
I, OR, WI	50 feet

~~10.1113.42~~ — In a Residential zoning district, ~~off-street parking~~ spaces for a ~~home occupation use~~, including ~~family day care~~ and ~~group day care~~, shall be set back at least 10 feet from side and rear property lines and shall be screened in accordance with the screening standards of the Planning Board's Site Plan Review Regulations.

~~10.1113.43~~ — All required ~~setbacks~~ of ~~off-street parking~~ areas from front property lines shall be landscaped in accordance with the ~~landscaping~~ and screening standards of the Planning Board's Site Plan Review Regulations.

~~10.1114~~ — ~~Design of Off-Street Parking Facilities~~

~~10.1114.10~~ — ~~Applicability~~

The provisions of this Section ~~10.1114~~ shall apply to all ~~off-street parking~~ facilities, whether in parking ~~structures~~ or surface ~~lots~~, and whether or not the parking spaces are required or in excess of the requirements for a ~~use~~, except as specifically exempted herein.

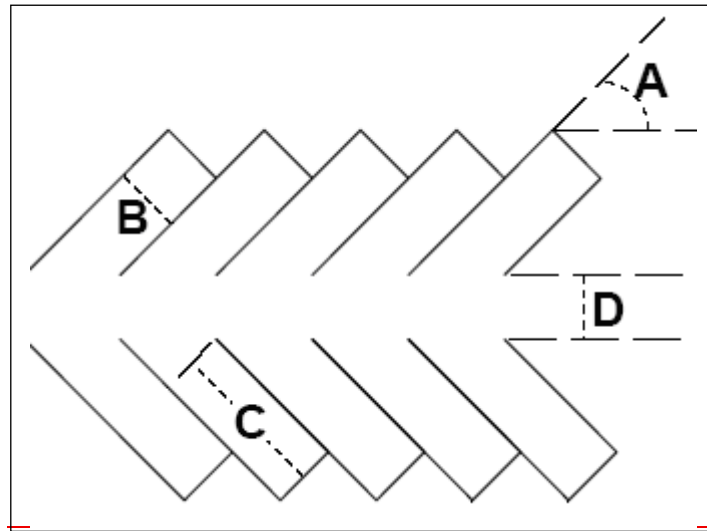
~~10.1114.20~~ — ~~Stall Layout~~

~~10.1114.21~~ — Parking spaces and ~~maneuvering aisles~~ shall be laid out in compliance with the minimum dimensions set forth in the Table of ~~Off-Street Parking~~ Dimensions.

Table of Off-Street Parking Dimensions

A Angle of Parking (degrees)	B Width of Parking Space	C Depth of Parking Space	D Width of Maneuvering Aisle *	
			1-way traffic	2-way traffic
0°	8.5'	20'	14'	24'
45°	8.5'	19'	16'	24'
60°	8.5'	19'	18'	24'
90°	8.5'	19'	24'	24'

* The minimum width of a **maneuvering aisle** shall be 22 feet for (a) an aisle for 2-way traffic providing access to fewer than 7 parking spaces, or (b) an aisle in a parking structure for 2-way traffic, or (c) an aisle in a parking structure for 1-way traffic with 90-degree parking.

Key to Table of Off-Street Parking Dimensions

- 10.1114.22 — Parking areas shall include parking spaces for the physically disabled in compliance with the **Building Code** and *Accessible and Usable Buildings and Facilities* (ICC/ANSI A117.1 latest edition).
- 10.1114.23 — Parking spaces located within four feet of an abutting **structure, sidewalk, or public street** shall be designed with suitable bumper stops.
- 10.1114.24 — Parking areas and access drives shall be surfaced with a durable surface that meets the load bearing **maximum occupancy** of the project; minimizes dust, material tracking and erosion; and facilitates snow removal. Examples of such materials include, but are not limited to, bituminous binder, concrete, asphalt, compacted gravel and crushed stone. Pervious surfaces may be used provided that they meet the above objectives and provide equivalent protection of surface and groundwater resources.

~~10.1114.25 — Except for **one-family** and **two-family dwellings**, all **off-street parking** spaces shall be marked and maintained to provide delineation between parking stalls and aisles.~~

10.1114.30 Vehicular Circulation

10.1114.31 Access to and egress from all parking areas shall be only via **driveways** which meet the standards for “General Accessway and Driveway Design” in the Site Plan Review Regulations.

10.1114.32 ~~Except for Off-street parking for **one-family** and **two-family dwellings**, all **off-street parking** areas shall be designed so that:~~

- (a) Vehicles can enter and leave each parking space without passing over any other parking space or requiring the moving of any other vehicle, and
- (b) Vehicles can enter and leave the parking area without backing into or from a public **street** or way.

~~10.1114.33 — Notwithstanding the previous provision, tandem parking spaces may be provided for required **off-street parking** spaces serving **dwelling units** in residential and mixed-use developments, subject to the following requirements:~~

- ~~(a) Tandem spaces shall be assigned to the same **dwelling unit**.~~
- ~~(b) Tandem parking shall not be used to provide guest parking.~~
- ~~(c) Two parking spaces in tandem shall have a combined minimum dimension of 9 feet in width by 38 feet in length.~~

~~10.1114.40 — Pedestrian Circulation~~

~~Except for **one-family** and **two-family dwellings**, all **off-street parking** areas shall incorporate the following provisions for pedestrian circulation:~~

~~10.1114.41 — A minimum 5-foot wide pedestrian path shall be provided throughout the site, connecting **adjacent streets**, **accessways**, **sidewalks** and parking areas to the entrances of all **structures**.~~

~~10.1114.42 — Pedestrian areas shall be clearly distinguished from vehicular and bicycle traffic areas through the use of paving materials, **landscaping** buffers, or other means.~~

~~10.1114.43 — Continuous off-**street** vehicle routes shall be no more than 200 feet in length before interruption by pedestrian crosswalks over speed tables, T-intersections or other design elements to calm vehicle movement on-site.~~

10.1115 Off-Street Parking Provisions in the Downtown Overlay District

10.1115.10 — Purpose

~~10.1115.11 — This Section 10.1115 establishes modified **off-street parking** standards for **lots** in the Downtown Overlay District in recognition of the availability of municipal on-**street** and **off-street parking** facilities, private shared parking facilities, and public transit, and the pedestrian-oriented pattern of **lots and uses**.~~

~~10.1115.12 Except as specifically modified by this Section 10.1115, lots in the Downtown Overlay District shall comply with all other provisions of Section 10.1110.~~

~~10.1115.20~~ **Number of Required Off-Street Parking Spaces**

~~10.1115.21 The following requirements shall apply in the Downtown Overlay District in lieu of the requirements in Section 10.1112.30:~~

Use	Required Parking Spaces
Residential use (dwelling)	Same as Section 10.1112.30
Hotel or motel	0.75 space per guest room, plus 1 space per 25 sf of conference or banquet facilities
Other nonresidential use	No requirement

~~10.1115.22 The requirements in Section 10.1115.21 shall be applied to all uses on a lot, and not to individual uses.~~

~~10.1115.23 For any lot, the number of off-street parking spaces that would be required by applying the ratios in Section 10.1115.21 shall be reduced by 4 spaces. (Therefore, any lot that would be required to provide 4 or fewer off-street parking spaces shall not be required to provide any spaces.)~~

~~10.1115.24 The provisions of Section 10.1112.50, Maximum Number of Parking Facilities, shall not apply to buildings and uses within the Downtown Overlay District.~~

~~10.1116~~ **Bicycle Parking**

~~10.1116.10~~ **Number of Bicycle Parking Spaces Required**

~~10.1116.11 Off street parking of bicycles shall be provided as follows, up to a maximum of 30 bicycle spaces:~~

Multifamily dwellings	1 bicycle space for each 5 dwelling units or portion thereof
Elementary, middle and high schools	1 bicycle space for each 4 students
All other uses, except as exempted in Section 10.1116.14	1 bicycle space for each 10 automobile parking spaces or fraction thereof required by Section 10.1112.30 or Section 10.1115.21, as applicable

~~10.1116.12 When the Planning Board approves the construction of fewer off-street parking spaces than would normally be required under Section 10.1112.30 or Section 10.1115.21 (for example, when a Reserve Parking Area is provided under Section 10.1112.40), or when Board of Adjustment grants a variance from the required number of off-street parking spaces, the required number of bicycle parking spaces shall be based on the number of such spaces that would be required without such reduction or variance.~~

~~10.1116.13~~—In addition to the number of bicycle parking spaces required under Section 10.1116.11 and 10.1116.12, any nonresidential use may substitute bicycle parking spaces for up to 5 percent of the required automobile parking spaces at the following ratios: 1 required automobile space may be replaced by 6 bicycle spaces or by 2 bicycle lockers.

~~10.1116.14~~—The following uses are exempt from providing bicycle parking spaces:

Use No.	Use
1.10	Single-family dwelling
1.20, 1.21, 1.22	Accessory dwelling unit
1.30	Two-family dwelling
2.10	Assisted living facility
2.20	Residential care facility
7.10	Day care
7.70	Undertaking establishment
11.10-11.60	Motor vehicle related uses
12.10-12.40	Marine craft related uses
13.10-13.40	Wholesale trade, warehousing and distribution
14.70	Recycling facility or recycling plant
14.80	High hazard use
17.10-17.20	Agricultural uses
19.10-19.40	Accessory uses

~~10.1116.15~~—Bicycle parking spaces shall be designed in accordance with standards set forth in the Site Plan Review Regulations.

Section 10.1120—Off-Street Loading

~~10.1121—General Requirements~~

~~10.1121.10~~—All new ~~structures~~, additions to existing ~~structures~~, and changes and intensification of ~~use~~ in existing ~~structures~~ shall be provided with off-street loading areas in accordance with this Section, except in Character Districts 4-W, 4 and 5 (CD4-W, CD4 and CD5) and the Downtown Overlay District.

~~10.1121.20~~—No loading areas shall be required in Character Districts 4-W, 4 and 5 (CD4-W, CD4 and CD5) and the Downtown Overlay District.

~~10.1122—Number of Loading Areas~~

~~10.1122.10~~—Off-street loading spaces shall be provided according to the following ratios:

Use	Gross Floor Area (sf)	Required Spaces
Industrial	Up to 10,000 sq. ft.	0
	10,001–40,000 sq. ft.	1
	40,001–100,000 sq. ft.	2
	100,001–200,000 sq. ft.	3
	Each additional 200,000 sq. ft.	1
Office/ Professional Service	Up to 10,000 sq. ft.	0
	10,001–100,000 sq. ft.	1

Use	Gross Floor Area (sf)	Required Spaces
	100,001—350,000 sq. ft.	2
	Each additional 350,000 sq. ft.	1
Retail	Up to 10,000 sq. ft.	0
	10,001—25,000 sq. ft.	1
	25,001—60,000 sq. ft.	2
	60,001—120,000 sq. ft.	3
	Each additional 100,000 sq. ft.	1
Other Non-Residential	Up to 10,000 sq. ft.	0
	10,001—40,000 sq. ft.	1
	Each additional 60,000 sq. ft.	1

~~10.1122.20—In case of mixed **uses**, the loading areas required shall be the sum of all requirements computed on the basis of the above table.~~

~~10.1123—Loading Area Dimensions~~

~~All required loading areas shall conform to the following dimensional standards:~~

Minimum vertical clearance:	14 feet
Minimum width of loading area:	12 feet
Minimum length of loading area:	
First required loading area:	20 feet
Additional required loading areas:	45 feet

~~10.1124—Location of Loading Areas~~

~~10.1124.10 Loading areas shall not be located between the front property line and any building or structure nor in a required side yard or rear yard.~~

~~10.1124.20—No off-street loading or maneuvering areas shall be nearer than 100 feet to any adjoining Residential or Mixed Residential Districts and shall be screened in accord with Section 10.1130 and the Planning Board's Site Plan Regulations.~~

~~10.1124.30—No off-street loading areas shall be a part of an area used to satisfy the **off-street parking** requirements of this Ordinance.~~